



# THE ERIE COUNTY LEGISLATURE

Session No. 3  
February 9, 2017

John J. Mills  
*Chair*

Joseph C. Lorigo  
*Majority Leader*

Thomas A. Loughran  
*Minority Leader*

Karen M. McCarthy  
*Clerk of the Legislature*

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## ROLL CALL

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INVOCATION – Ms. Miller-Williams

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PLEDGE OF ALLEGIANCE – Mr. Burke

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## TABLED ITEMS

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## ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

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MINUTES OF PREVIOUS MEETING - [Session No. 2](#)

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## PUBLIC HEARING

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## MISCELLANEOUS RESOLUTIONS:

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LORIGO [Honoring John Blickwedehl for Being Named the West Seneca Chamber of Commerce's Educator of the Year and for his Contribution to the Community](#)

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LORIGO [Honoring Joseph Kirchmyer for Being Named the West Seneca Chamber of Commerce's Citizen of the Year and for his Contribution to the Community](#)

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LORIGO [Honoring the American Legion Post 735 for Being Named the West Seneca Chamber of Commerce's Community Service Organization of the Year and for its Contribution to the Community](#)

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LORIGO [Honoring Edbauer Construction for Being Named the West Seneca Chamber of Commerce's Business of the Year and for its Contribution to the Community](#)

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LORIGO [Honoring Ebenezer Ale House for Being Named the West Seneca Chamber of Commerce's Member of the Year and for its Contribution to the Community](#)

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MILLS, LORIGO, DIXON, HARDWICK, MORTON & RATH [Proclaiming February 2017 as "American Heart Health Month" in Erie County and to Encourage all Citizens to Make Healthy Choices and Manage Their Health Conditions](#)

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## LOCAL LAWS:

[LL INTRO. 3-1](#)  
[2/29/2016](#)

BURKE

A LL Entitled, "SPRAWL PREVENTION ACT" Otherwise Known as "MUNICIPAL AND REGIONAL INTERESTS ACT" for the Creation of an Erie County Planning Board

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## REFERENCE:

Finance &  
Management

<a href="#">LL INTRO. 4-2 3/14/2016</a>	SAVAGE, LOUGHRAN & BURKE	A LL in the Relation to Prohibiting the Sale of Tobacco Products and Electronic-Cigarettes in Licensed Health Care Institutions, Pharmacies and Retail Establishments Containing Pharmacies in Erie County	Health & Human Services
<a href="#">LL INTRO. 5-1 3/8/2016</a>	LORIGO	A LL Increasing Governmental Transparency	Government Affairs
<a href="#">LL INTRO. 6-1 3/8/2016</a>	LORIGO	A LL Requiring Publication of Ethical and Financial Disclosure Information	Government Affairs
<a href="#">LL INTRO. 7-1 3/14/2016</a>	LOUGHRAN	A LL Repealing the Erie County Code of Ethics Established by Local Law Number Ten of Nineteen Hundred Eighty-Nine as Amended by Erie County Local Law Number Four of Nineteen Hundred Ninety-Four and Erie County Local Law Number Four of Two Thousand and Fifteen, and Establishing a New Erie County Code of Ethics	Government Affairs
<a href="#">LL INTRO. 8-1 4/11/2016</a>	MILLER-WILLIAMS & GRANT	A LL in the Relation to Prohibiting the Asking of Questions Regarding or Pertaining to an Applicant's Prior Criminal Convictions on Preliminary Employment	Government Affairs
<a href="#">LL INTRO. 10-1 7/11/2016</a>	LOUGHRAN & HARDWICK	Requiring a Minority Business Utilization and Women-Owned Business Utilization Commitment by Persons or Firms Contracting with the County of Erie Law	Government Affairs
<a href="#">LL INTRO. 14-1 8/29/2016</a>	BURKE	Pharmaceutical Water Pollution Act	Energy & Environment
<a href="#">LL INTRO. 17-1 9/29/2016</a>	LORIGO & LOUGHRAN	A LL Repealing the Erie County Code of Ethics Established by Local Law Number Ten of Nineteen Hundred Eighty-Nine as Amended by Erie County Local Law Number Four of Nineteen Hundred Ninety-Four and Erie County Local Law Number Four of Two Thousand and Fifteen, and Establishing a New Erie County Code of Ethics	Government Affairs
<a href="#">LL INTRO. 18-1 11/10/2016</a>	BURKE	Erie County School Bus Safety Law	Public Safety
<a href="#">LL INTRO. 19-1 11/10/2016</a>	GRANT, SAVAGE, LOUGHRAN, BURKE & MILLER-WILLIAMS	A LL in Relation to Fair Housing in Erie County	Economic Development
<a href="#">LL INTRO. 20-1 11/21/2016</a>	BURKE	Erie County Conversion Therapy Ban	Government Affairs

<a href="#">LL INTRO. 1-1 1/23/2017</a>	BURKE	Erie County Pharmaceutical Water Pollution Act	Energy & Environment
<a href="#">LL INTRO. 2-1 1/26/2017</a>	MILLS	A LL amending Local Law No. 1-1959, constituting the Erie County Charter, as amended, in relation to adjustment of specifications in the commissioner role for the Department of Public Works	R&F
<a href="#">LL INTRO. 2-2 2/8/2017</a>	MILLS	A LL amending Local Law No. 1-1959, constituting the Erie County Charter, as amended, in relation to adjustment of specifications in the commissioner role for the Department of Public Works	Government Affairs

**COMMITTEE REPORTS:**

<a href="#">REPORT NO. 2</a>	HEALTH & HUMAN SERVICES COMMITTEE		
<a href="#">REPORT NO. 1</a>	COMMUNITY ENRICHMENT COMMITTEE		
<a href="#">REPORT NO. 2</a>	ECONOMIC DEVELOPMENT COMMITTEE		
<a href="#">REPORT NO. 2</a>	ENERGY & ENVIRONMENT COMMITTEE		
<a href="#">REPORT NO. 2</a>	PUBLIC SAFETY COMMITTEE		

**LEGISLATOR RESOLUTIONS:**

**REFERENCE:**

<a href="#">INTRO. 3-1</a>	MILLS	Reappointments to the EC Audit Committee	Approved
<a href="#">INTRO. 3-2</a>	MILLS	Appointment to the EC Soil and Water Conservation District Board of Directors	Approved
<a href="#">INTRO. 3-3</a>	MILLS, LORIGO, RATH, DIXON, HARDWICK & MORTON	Opposition to Unilateral Authority to Retain Budget Payments Mid-Year	Finance & Management
<a href="#">INTRO. 3-4</a>	BURKE, GRANT & MILLER-WILLIAMS	Ensuring Healthcare for All New Yorkers Through the New York Health Act	Health & Human Services

**COMMUNICATIONS DISCHARGED FROM COMMITTEE:**

**REFERENCE:**

*Community Enrichment Committee:*

<a href="#">COMM. 2E-35</a>	COUNTY EXECUTIVE	ECC - Presidential Search Consultant	Approved
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**SUSPENSION OF THE RULES:**

**REFERENCE:**

<a href="#"><u>INTRO. 3-5</u></a>	MILLS	Transfer of Surplus Property to NYS Unified Court System	Approved
<a href="#"><u>COMM. 3E-24</u></a>	COUNTY EXECUTIVE	EC Soil and Water Conservation District Agreement - Technical Services & Stream Bank Maintenance, Bridge & Culvert Scour Maintenance Program	Economic Development
<a href="#"><u>COMM. 3E-25</u></a>	COUNTY EXECUTIVE	Locally Administered Federal Aid Project - Bridge Painting & Repairs, Construction Inspection & Administration Services - Towns of Alden, Boston & Collins	Economic Development
<a href="#"><u>COMM. 3E-26</u></a>	COUNTY EXECUTIVE	Initiatives for a Smart Economy - 2016 Bi-Annual Reports	Economic Development
<a href="#"><u>COMM. 3E-27</u></a>	COUNTY EXECUTIVE	Springville (Scoby) Dam Fish Passage Ecosystem Restoration Project	Energy & Environment
<a href="#"><u>COMM. 3D-6</u></a>	REAL PROPERTY TAX SERVICES	Open Item - Correction of Errors/NYS Real Property Tax Law	Finance & Management

**COMMUNICATIONS FROM ELECTED OFFICIALS:**

**REFERENCE:**

<a href="#"><u>COMM. 3E-1</u></a>	MILLER-WILLIAMS	Lease Agreement for Legislative Office Space	Approved
<a href="#"><u>COMM. 3E-2</u></a>	MILLS	Appointment to Erie County Stadium Corporation Board of Directors	RFP
<a href="#"><u>COMM. 3E-3</u></a>	LORIGO	Abstention from Committee Vote Regarding Comm. 2E-5 & Comm. 2E-6 (2017)	RFP
<a href="#"><u>COMM. 3E-4</u></a>	MILLER-WILLIAMS	Letter to County Executive Regarding a Recommendation for Appointment to the MWBE Utilization Advisory Board	R&F
<a href="#"><u>COMM. 3E-5</u></a>	COUNTY EXECUTIVE	EC Sewer District No. 6 - Engineer Term Contract Agreement - Work Order GHD-1	R&F
<a href="#"><u>COMM. 3E-6</u></a>	COUNTY EXECUTIVE	EC Clarence Highway Facility - 2017 New Maintenance Building	Economic Development
<a href="#"><u>COMM. 3E-7</u></a>	COUNTY EXECUTIVE	Federal-Aid Highway Local Project - NYSDOT Supplemental Agreement No. 1 - Pedestrian/Bicycle Improvements - Elmwood Ave, Village of Kenmore	Economic Development
<a href="#"><u>COMM. 3E-8</u></a>	COUNTY EXECUTIVE	Department of Public Works - Information & Communication Technology Assessment	Economic Development

<a href="#">COMM. 3E-9</a>	MILLS	Letter to County Executive Regarding Condition of Springville-Boston Road, Towns of Boston & Concord	Economic Development
<a href="#">COMM. 3E-10</a>	COUNTY EXECUTIVE	EC Sewer District No. 8 - Proposed Boundary Extension - Aurora Mills Patio Home Development - Sewer Agency Report	Energy & Environment
<a href="#">COMM. 3E-11</a>	COUNTY EXECUTIVE	EC Sewer District No. 8 - Proposed Boundary Extension - Aurora Mills Patio Home Development - Public Hearing	Energy & Environment
<a href="#">COMM. 3E-12</a>	COUNTY EXECUTIVE	Real Property Tax Services - Transfer of Surplus County Owned Land Locked Parcel - Part of SBL 73.00-5-31 Rear of Nice Rd, Town of Newstead	Finance & Management
<a href="#">COMM. 3E-13</a>	COUNTY EXECUTIVE	Real Property Tax Services - Foreclosure Pursuant to the In Rem Provisions of the EC Tax Act - In Rem Action No. 165	Finance & Management
<a href="#">COMM. 3E-14</a>	COMPTRROLLER	Bond Resolution - ECMCC Loan Refinancing	R&F
<a href="#">COMM. 3E-15</a>	COMPTRROLLER	Bond Resolution - ECMCC Capital Debt Authorization up to \$100M	Finance & Management
<a href="#">COMM. 3E-16</a>	COUNTY EXECUTIVE	Department of Senior Services - Establish Access to Home for Medicaid 2017-2019 Grant Funding	Health & Human Services
<a href="#">COMM. 3E-17</a>	LORIGO	Letter to Health Commissioner Regarding Proposal to Test School Children for Presence of Elevated Blood Lead Levels	Health & Human Services
<a href="#">COMM. 3E-18</a>	COUNTY EXECUTIVE	Appointments to the EC Disaster Preparedness Advisory Board	Public Safety
<a href="#">COMM. 3E-19</a>	SHERIFF	Operation Stonegarden for FY2016-2019	Public Safety
<a href="#">COMM. 3E-20</a>	SHERIFF	Division of Correctional Health - Award of Professional Services Contract for Correctional Health Pharmacy Services	Public Safety
<a href="#">COMM. 3E-21</a>	SHERIFF	Division of Correctional Health - Personnel Adjustments	Public Safety
<a href="#">COMM. 3E-22</a>	COMPTRROLLER	Performance Audit of Department of Public Works Emergency & Standby Power Systems for Period July 2015-June 2016	Public Safety
<a href="#">COMM. 3E-23</a>	SHERIFF	Police Protective Equipment Program Grant	Public Safety

**COMMUNICATIONS FROM THE DEPARTMENTS:**

**REFERENCE:**

<a href="#"><u>COMM. 3D-1</u></a>	CLERK OF THE LEGISLATURE	Certificate of Appointment to Erie County Industrial Development Agency (ECIDA)	RFP
<a href="#"><u>COMM. 3D-2</u></a>	COMMISSIONER, DEPARTMENT OF ENVIRONMENT & PLANNING	SEQR Notice of Negative Declaration - Rental Housing Construction Project - 18 Glenwood, City of Lackawanna	R&F
<a href="#"><u>COMM. 3D-3</u></a>	REAL PROPERTY TAX SERVICES	Letter to Town of Boston Regarding Town Levy and Tax Rate Sign Off	R&F
<a href="#"><u>COMM. 3D-4</u></a>	DEPARTMENT OF PUBLIC WORKS	ECC STEM Building Status Report - Jan. 2017	Community Enrichment
<a href="#"><u>COMM. 3D-5</u></a>	DEPARTMENT OF HEALTH	Initiatives for a Stronger Community - 2016 Q3 & Q4 Biannual Reports	Health & Human Services

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:**

**REFERENCE:**

<a href="#"><u>COMM. 3M-1</u></a>	TOWN OF AURORA	2016 Annual Report of the Town Historian	R&F
<a href="#"><u>COMM. 3M-2</u></a>	BUFFALO & EC NAVAL & MILITARY PARK	Board of Directors Meeting Minutes	R&F
<a href="#"><u>COMM. 3M-3</u></a>	BUFFALO PLACE INC	Letter to Legislator Miller-Williams Regarding Organization's Support for Ride Sharing NYS Legislation	R&F
<a href="#"><u>COMM. 3M-4</u></a>	EC BAR ASSOCIATION	Assigned Counsel Program - Financial & Quarterly Report, Attorneys on Panel, Board of Directors Meeting Minutes	R&F
<a href="#"><u>COMM. 3M-5</u></a>	EC WATER AUTHORITY	Unaudited Comparative Financial Statements for Years Ended Dec. 31, 2016 & 2015	R&F
<a href="#"><u>COMM. 3M-6</u></a>	LEGAL AID BUREAU OF BUFFALO INC	2015 Financial Statements, Sept. 22, 2016 Board of Directors Meeting Minutes	R&F
<a href="#"><u>COMM. 3M-7</u></a>	NFTA	Nov. 17, 2016 Board Minutes	R&F
<a href="#"><u>COMM. 3M-8</u></a>	RONALD A. WENDEL	Letter Regarding Road in Disrepair	R&F
<a href="#"><u>COMM. 3M-9</u></a>	ROBIN SCHIMMINGER	Letter to County Executive & Chair Mills Regarding Imposition of Additional One Percent and Three-Quarters Percent Sales and Compensating Use Taxes	Finance & Management
<a href="#"><u>COMM. 3M-10</u></a>	MWBE UTILIZATION ADVISORY BOARD	Dec. 28, 2016 Meeting Minutes	Minority & Women Business Enterprise

**ANNOUNCEMENTS:**

**MEMORIAL RESOLUTIONS:**

**ADJOURNMENT:**